



February 2, 2004

Paul S. Hunter
Foley & Lardner
777 East Wisconsin Ave.
Milwaukee, WI 53202-5367

In re application of:
Buinevicious, et al DECISION ON PETITION
Serial No.: 09/995,292
Filed: November 27, 2001

For: SYSTEM AND METHOD OF CAPTURE, ANALYSIS, AND
MANAGEMENT OF DISPARATE TYPES AND SOURCES OF MEDIA,
BIOMETRIC, AND DATABASE INFORMATION

This is a decision on the petition received on November 17, 2003, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice to File Missing Parts of Application mailed December 17, 2001. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned February 20, 2002. A notice of abandonment was mailed on November 6, 2003.

On November 11, 2003, the office received a communication from the attorney of record. Enclosed was an acknowledgment that the attorney responded to the Notice to File Missing Parts on February 13, 2002.

The evidence submitted is sufficient to establish that the petitioners responded to the Notice to File Missing Parts on February 13, 2002.

The petition is hereby GRANTED.

The application has been completed for release to Technology Center 2171.

Telephone inquiries concerning this matter may be directed to Doshie E. Day at (703) 308-3640.


Doshie E. Day
Program Management Assistant
Office Initial Patent Examination



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Buinevicius et al.

Title: SYSTEM AND METHOD OF
CAPTURE, ANALYSIS, AND
MANAGEMENT OF
DISPARATE TYPES AND
SOURCES OF MEDIA,
BIOMETRIC, AND
DATABASE INFORMATION

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OFFICE OF PETITIONS

Appl. No.: 09/995,292

Filing Date: November 27, 2001

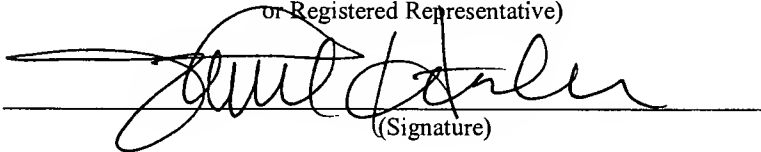
Examiner: Unknown

Art Unit: 1775

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on November 13, 2003.

Paul S. Hunter

(Name of applicant, assignee
or Registered Representative)



(Signature)

November 13, 2003

(Date of Signature)

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137**

Mail Stop Petitions
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Notice to File Missing Parts mailed on December 17, 2001, which set a two-month period for response.

Request is hereby respectfully made, in accordance with 37 C.F.R. § 1.137, that the above-referenced patent application (hereafter the "Application") be revived.

Applicants received a Notice of Abandonment, mailed November 6, 2003 and received by applicants on November 10, 2003, indicating that the above-referenced Application was abandoned for failure to timely and properly respond to the Notice to File Missing Parts. It is hereby requested that the Application be revived on the grounds that applicants' attorney filed a proper and timely response to the Notice to File Missing Parts on January 28, 2002. The response was received in the U.S. Patent and Trademark Office on February 13, 2002 as evidenced by the enclosed stamped post card received by applicant's attorney from the U.S. Patent and Trademark Office on March 11, 2002. Thus, the Application should be revived on the grounds that the abandonment was unavoidable 37 C.F.R. § 1.137(a), or in the alternative on the grounds that the abandonment was unintentional 37 C.F.R. § 1.137(b).

Because the abandonment was not due to an error by applicants, it is submitted that no fee should be due for revival of the Application. Nonetheless, if it is determined that a fee is required with regard to this Petition, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

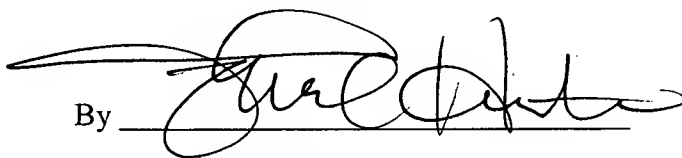
Enclosed with this petition is a photocopy of the postcard received from the U.S. Patent and Trademark Office verifying receipt of the above mentioned response. Another copy of the complete reply to the Notice to File Missing Parts is also enclosed.

Respectfully submitted,

Date Nov. 13, 2003

FOLEY & LARDNER
Paul S. Hunter
Telephone: (608) 258-4292
Facsimile: (608) 258-4258

By



Paul S. Hunter
Attorney for Applicant
Registration No. 44,787



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Title: SYSTEM FOR AND METHOD OF CAPTURE, ANALYSIS,
AND MANAGEMENT OF DISPARATE TYPES AND SOURCES OF
MEDIA, BIOMETRIC, AND DATABASE INFORMATION

Inventor(s): Buinevicius et al.

Dkt. No. 070156-0168

Appl. No.: 09/995,292

PSH (1/28/02)

- Formal Drawings (7 sheets);
- Transmittal of Corrected Application Papers of Patent Application
- Notice to File Corrected Papers - Part 2

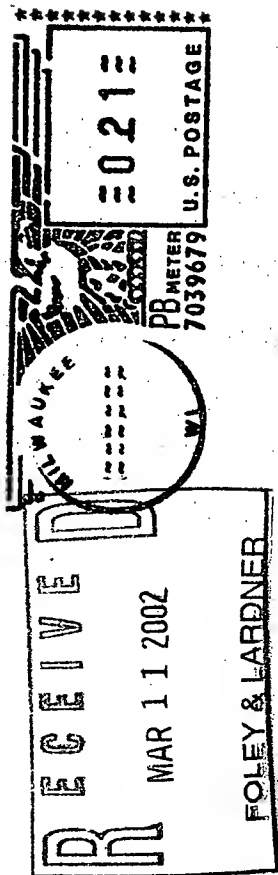
Commissioner for Patents:

Please acknowledge receipt of the above-identified documents by applying the U.S. Patent and Trademark Office receipt stamp hereto and mailing this card.

Respectfully,
Foley & Lardner

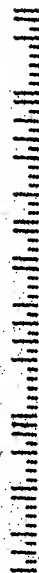


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Milwaukee, Wisconsin 53202

Attn: Intellectual Property Team



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